

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

**FILED**

MAR - 9 2006

U. S. DISTRICT COURT  
E. DISTRICT OF MO.

NATIONAL ENVIRONMENTAL SERVICES)  
CORPORATION, )

Plaintiff, )

vs. )

THE INSURANCE COMPANY OF THE )  
STATE OF PENNSYLVANIA, )

Case No.

and )

MB ASSOCIATES LLC, )

Defendants. )

**4 06CV0 0240 JCH**

**MOTION TO DEPOSIT FUNDS WITH THE COURT AND ORDER TO INVEST IN AN  
INTEREST BEARING ACCOUNT**

Pursuant to Rule 64 of the Federal Rules of Civil Procedure, Plaintiff National Environmental Service Corporation ("NESC") moves the Court for an Order authorizing the deposit into the Registry of the Court in the amount of Two-Hundred Nine Thousand Four Hundred Twelve Dollars and 39 cents (\$209,412.39), which represents an arbitration award *In the Matter of the Arbitration between MB Associates, LLC, Assignee of Claim on behalf of SPIRCO Services, Inc. and National Environmental Services Corporation*, No. 58 181 Y 00171 04. The Clerk is hereby Ordered to deposit the funds in a money market account or other instrument at the prevailing rate of interest at a federally approved financial institution. This initial investment is subject to the collateral provisions of Treasury Circular 176.

The Clerk shall deduct the administrative registry fee, set by the Director of the Administrative Office of the U.S. Courts at ten percent of the interest earned or as indicated based on the amount and time of the deposit into the court, without further order of the court.

Said fee is authorized by the Judicial Conference of the United States.

Dated this 21<sup>st</sup> day of February, 2006.

  
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Attorney for Plaintiff

SO ORDERED: 

DATED: 